

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

MULHERN GAS CO., INC. et al.,

Plaintiffs,

v.

WALTER T. MOSLEY, in his official
capacity as New York Secretary of State,

Defendant.

CIVIL ACTION NO. 1:23-cv-01267 (GTS/CFH)

NOTICE OF MOTION TO INTERVENE

PLEASE TAKE NOTICE that Proposed Intervenor New York Geothermal Energy Organization (“NY-GEO”) and PUSH Buffalo hereby move to intervene as defendants pursuant to Fed. R. Civ. P. 24, for the limited purpose of opposing Plaintiffs’ motion for summary judgment.

Defendant and Plaintiffs have consented to this motion, provided that the scope of intervention is limited to opposing Plaintiffs’ motion for summary judgment, that Proposed Intervenor adhere to the existing briefing schedule by filing their opposition brief on December 10, 2024, that Proposed Intervenor’s brief be limited to 15 pages, and that the Plaintiffs be permitted to file a single reply brief of up to 20 pages responding to both Defendant’s and Proposed Intervenor’s opposition briefs. The attached Proposed Order sets forth these conditions as agreed upon by the parties.

Proposed Intervenor’s motion is supported by the following papers: Memorandum of Law, Declaration of Bill Nowak, and Declaration of Dawn Wells-Clyburn.

DATED: November 8, 2024

s/Dror Ladin

Dror Ladin

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